

UNCLASSIFIED

RELEASED IN PART
B1, 1.4(D)

E7

ACTION AID-00

INFO	LOG-00	NP-00	CIAE-00	INL-00	DODE-00	WHA-00	SRPP-00
	DS-00	EB-00	EUR-00	VC-00	H-00	TEDE-00	INR-00
	VCE-00	AC-00	DCP-00	NSAE-00	NIMA-00	PA-00	ACE-00
	FMPC-00	SP-00	ECA-00	DSCC-00	PRM-00	DRL-00	NFAT-00
	SAS-00	/000W					

-----27D060 022033Z /38

P 022019Z JUN 04
FM AMEMBASSY CARACAS
TO SECSTATE WASHDC PRIORITY 6547
INFO AMEMBASSY BOGOTA PRIORITY
AMEMBASSY BRASILIA PRIORITY
AMEMBASSY LA PAZ PRIORITY
AMEMBASSY LIMA PRIORITY
AMEMBASSY LISBON PRIORITY
AMEMBASSY MADRID PRIORITY
AMEMBASSY MEXICO PRIORITY
AMEMBASSY QUITO PRIORITY
AMEMBASSY SANTIAGO PRIORITY
USINT HAVANA PRIORITY
USCINCSO MIAMI FL PRIORITY
NSC WASHDC PRIORITY

C O N F I D E N T I A L CARACAS 001880

NSC FOR CBARTON
USCINCSO ALSO FOR POLAD
USAID DCHA/OTI FOR RPORTER

E.O. 12958: DECL: 05/25/2014
TAGS: PHUM, PGOV, KDEM, VE
SUBJECT: STATUS OF CAPRILES AND SUMATE CASES

Classified By: POLITICAL COUNSELOR ABELARDO A. ARIAS FOR REASONS 1.4 (d
)

SUMMARY

1. (U) Maria Corina Machado, of the electoral NGO Sumate told reporters June 1 that the hearing to charge her with treason and conspiracy had been rescheduled for the second time until June 10. Another Sumate leader, Alejandro Plaz, is scheduled to have his hearing June 2. On May 31, a Caracas court rejected a request from Baruta Mayor Henrique Capriles Radonski (Primero Justicia) for release pending trial. He has been held since May 11. He is being charged with allegedly

UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: OSCAR J OLSON
CLASSIFICATION: CONFIDENTIAL REASON: 1.4(D)
DECLASSIFY AFTER: 25 MAY 2019
DATE/CASE ID: 19 FEB 2009 200705281

UNCLASSIFIED

UNCLASSIFIED

participating in the attack on the Cuban embassy during the April 2002 events. Both cases are clearly political and arbitrary, according to [REDACTED]

B1

[REDACTED] End Summary.

Sumate

2. (U) Maria Corina Machado, one of the leaders of the NGO Sumate, told reporters June 1 that the hearing to charge her was postponed until June 10, to give her time to prepare her defense. Alejandro Plaz, the president of Sumate, will go before the judge June 2. The charges of treason and conspiracy stem from funding the group received from the National Endowment for Democracy (NED), which GOV officials have charged is a violation of Venezuelan sovereignty. The two were first called to appear on May 26 and 27 respectively, but the hearings were postponed until June 1 and 2.

Henrique Capriles Radonski

3. (U) The seventh chamber of the Appeals Court of Caracas May 31 rejected the request by Primero Justicia (PJ) leader, and Mayor of Baruta, Henrique Capriles Radonski for release pending trial. Capriles' lawyers also attempted to have the case heard by another chamber, arguing that the members of the chamber were well known Chavez supporters who would not give Capriles a fair hearing. The request was denied, meaning Capriles now will spend an additional 25 days in detention.

4. (U) PJ president Julio Borges announced May 28 that the Inter-American Human Rights Committee (IACHR) had asked the GOV for information on the Capriles case. The IACHR Executive Secretary Santiago Canton, according to Borges, asked for information on the legal proceedings in the case, and the conditions under which Capriles was being held. Borges told reporters Capriles is being held in a room without light, without ventilation, and is unable to walk or exercise. Prosecutor Danilo Anderson has claimed that Capriles has 16 square meters of space, a bed, a TV and two fans, and thus is better off than most prisoners.

[REDACTED] B1

UNCLASSIFIED

6. (U) Capriles has been in custody since he appeared at a hearing on May 11 during which Anderson asked that he be held pending trial. The judge agreed, and ordered that he be held in the DISIP (political police) headquarters. Anderson first obtained a detention order March 16. At that time Capriles avoided detention by going into hiding, alleging lack of due process because Anderson would not let his lawyers see the charges. The Penal Chamber of the Supreme Court of Justice (TSJ) voided the March 16 order on March 31. The Penal chamber also ordered that another court hear the case and that Capriles' lawyers be allowed to see the charges.

7. (U) The Capriles case goes back to the April 2002 events. On April 12, 2002, after Chavez' removal from power, a group of people gathered in front of the Cuban embassy and began a violent protest.

asked him to come and help calm the situation (Note: the Cuban embassy is located in Baruta). According to the GOV, Capriles led the protests, and the Baruta police did nothing to protect the embassy.

B1

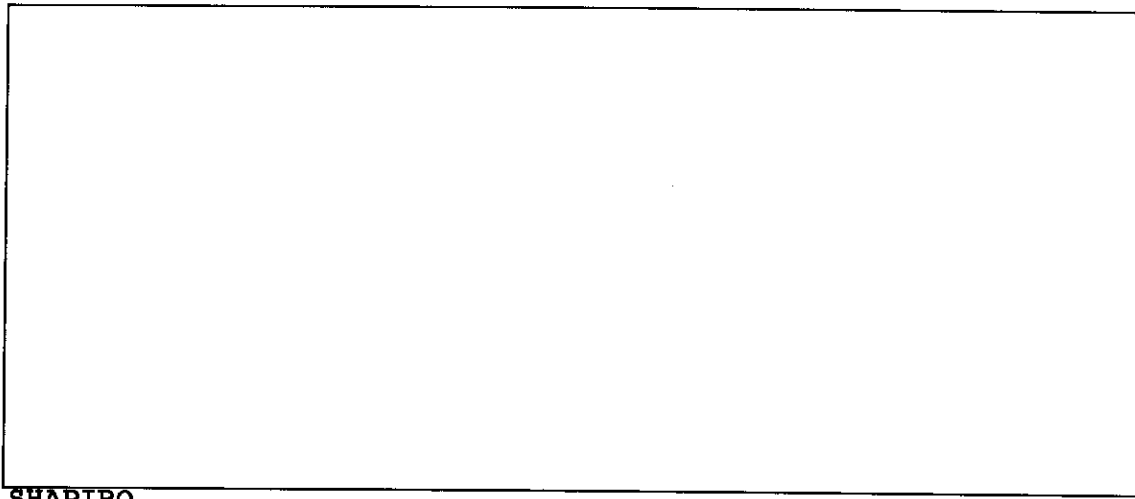
President Carter Talks to Chavez

B1

Comment

UNCLASSIFIED

B1



SHAPIRO

NNNN

UNCLASSIFIED